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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,880	08/10/2006	Takuya Ogihara	AIBARA0002	7393

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EXAMINER

KUMAR, SRILAKSHMI K

ART UNIT	PAPER NUMBER
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2629

MAIL DATE	DELIVERY MODE
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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/597,880	Applicant(s) OGIHARA ET AL.	
	Examiner SRILAKSHMI K. KUMAR	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The following office action is in response to the preliminary amendment filed on August 10, 2006. Claims 1-8 are pending and have been amended.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Oto et al (JP 06-332602).

As to independent claim 1, Oto et al teach touch screen-type input device (paragraph 0024, item 21 is the touch display) comprising: a touch screen comprising a display panel on which multiple button patterns can be variably displayed for multiple input purposes and a touch panel for detecting information for contact position onto the display panel (paragraph 0024); a transparent button sheet disposed on the touch screen and having a shape to enable a user to recognize a position of each button in each button pattern on the display panel using sense of touch (Fig. 4, paragraphs 0024 and 0033); and a control means for determining which button in the button pattern displayed on the display panel was pressed down according to position information from the touch panel (paragraphs 0024; 0033 and constitution).

As to dependent claim 5, limitations of claim 1, and further comprising, Oto et al teach wherein the transparent button sheet has a shape with convexities and concavities, and each of

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the convexities corresponds to each button displayed on the display panel, while each of the concavities corresponds to the boundary between each button (Fig. 4, paragraph 0024).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oto et al as applied to claims 1 and 5, and further in view of Miyazawa (JP 09-62448).

As to dependent claim 2, limitations of claim 1, further comprising: Oto et al do not teach a click sensation providing means for providing a click sensation for a user when a button on the touch screen is pressed down. Miyazawa teaches in paragraph 0007 a click sensation providing means for providing a click sensation for a user when a button on the touch screen is pressed down. It would be obvious to one of ordinary skill in the art at the time the invention was made to include the click sensation as taught by Miyazawa into Oto et al to indicate the depression of a key to the user (constitution and paragraph 0007 of Miyazawa).

As to dependent claim 3, limitations of claim 2, and further comprising, Miyazawa teaches wherein the click sensation providing means is a mechanical switch disposed under the display panel and that provides a click sensation for a user by being pressed down via the display panel when the user presses down the touch screen (paragraphs 0007, 0014 and 0015).

As to dependent claim 4, limitations of claim 2, and further comprising, Miyazawa teaches wherein the control means is connected to the click sensation providing means and

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outputs a button signal showing which button was pressed down when the control means receives position information from the touch panel and a signal indicating that the click sensation providing means was activated (paragraphs 0007, 0014 and 0015).

As to independent claim 6, see limitations of claims 1-4, above.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oto et al (JP 06-332602) in view of Ishibashi et al (JP 2000-30010).

As to independent claim 7, Oto et al teaches limitations as shown in claim 1, however, Oto et al does not teach a multifunctional remote controller. Ishibashi et al teach a multifunctional remote controller in paragraph 0013-0017 for operating multiple home electrical appliances. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a multi-functional remote controller as taught by Ishibashi et al with Oto et al to enable a user friendly remote controller with a touch panel.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oto et al (JP 06-332602) in view of Lundqvist (US 6,424,844).

As to independent claim 8, Oto et al teaches all as shown in claim 1, however Oto et al do not explicitly teach a portable telephone. Lundqvist teaches in col. 5, lines 20-24, a portable telephone comprising a touch screen display. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the portable telephone as taught by Lundqvist with Oto et al as the portable telephone comprising a touch panel enables various types of communication for the user.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SRILAKSHMI K. KUMAR whose telephone number is (571)272-7769. The examiner can normally be reached on 7:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sue Lefkowitz can be reached on 571 272 3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Srilakshmi K Kumar/
Primary Examiner
Art Unit 2629

June 15, 2009
SKK